

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT COURT OF ILLINOIS, EASTERN DIVISION

In re: Lion Air Flight JT 610 Crash

RINI EKA A. SOEGIYONO,
Administrator of the Estate of NIAR RURI
SUNARNIATI SOEGIYONO, deceased, et
al.

Plaintiff,

vs.

THE BOEING COMPANY, a corporation,

Defendants.

RINI EKA A. SOEGIYONO, Administrator
of the Estate of ANDRI WIRANOFA,
deceased, et al.

Plaintiff,

vs.

THE BOEING COMPANY, a corporation,

Defendants.

NURDIN RAKHMAN SEMENDAWAI,
Administrator of the Estate of ANDIR
WIRANOFA, deceased, et al.

Plaintiff,

vs.

THE BOEING COMPANY, a corporation,

Defendants.

Lead Consolidated Case No. 1:18-cv-07686

Related to Case Nos. 1:19-cv-03415 and 1:19-cv-05311 (Soegiyono Actions) and 1:19-cv-07686 (Nurdin Action)

Assigned for all purposes to the Hon. Thomas M. Durkin

DECLARATION OF BRIAN S. KABATECK

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I, Brian S. Kabateck, declare as follows:

1. I am an attorney and licensed to practice in California as well as various Federal Courts in the United States. I am the founding and managing partner of the law firm of Kabateck LLP (formerly Kabateck Brown Kellner LLP) (“KBK”), counsel of record for Plaintiff Rini Soegiyono. I make this declaration of my own knowledge and could and would testify competently hereto under oath in Court if called upon to do so.

2. I submit this declaration in support of Plaintiff Rini Soegiyono’s Reply Brief filed in response to Defendants’ Opposition to our Motion for Appointment of Guardian Ad Litem.

3. My firm was retained by Plaintiff in February of 2019.

4. I am co-lead counsel on this matter with Sanjiv N. Singh. Our two firms have been in constant and continuous communication on the daily regarding all matters relating to this case. Mr. Singh led a thorough investigation into the activities of Nurdin Rakhman Semendawai in Indonesia and kept me informed at every step, usually on a daily basis.

5. I have been a practicing attorney for 30 years. I have been practicing exclusively civil litigation for over 29 years. My practice focuses on consumer protection, insurance bad faith, class actions, complex business litigation, unlawful business practices, and catastrophic personal injury. A copy of my CV is attached hereto as **Exhibit 1**. The following is a list of relevant details regarding my legal career and our firm’s accomplishments:

- a. I have tried multiple cases to verdict throughout the country, including complex business cases, class actions, insurance bad faith claims, and consumer protection cases. I have argued cases before the California State Supreme Court, California Court of Appeal, Ninth Circuit Court of Appeals, and the Federal Circuit Court of Appeals. I am the former President of the Consumer

Attorneys of California. I am also a member of the American Board of Trial Advocates.

- b. I have obtained multiple seven-figure and eight-figure verdicts at trial. For example, in 2018, I was lead trial counsel in an eleven-week jury trial in Los Angeles Superior Court where our firm obtained a \$39.7 million verdict on behalf 31 families in a mobile-home habitability lawsuit. In 2019, this lawsuit resulted in the subsequent settlement of the entire case and represented the largest settlement for mobile home park residents in the United States.
- c. Kabateck LLP (formerly Kabateck Brown Kellner LLP) is a nationally renowned plaintiff's firm representing consumers. We have obtained multiple record-setting verdicts. We have successfully represented thousands of individuals who have been wrongfully taken advantage of, injured, or denied their rights.
- d. By my best estimate, the lawyers at our firm have collectively recovered over a billion dollars for our clients through verdicts and settlements. In addition, we have separately recovered over a billion dollars for policyholders from their insurance companies. We take on challenging cases and pride ourselves on achieving outstanding results
- e. In a series of landmark cases, I represented the descendants of victims of the Armenian Genocide in lawsuits against various life insurance carriers, recovering tens of millions of dollars to them in unpaid life insurance benefits. Additionally, I represented the NAACP in national class action litigation related to predatory lending targeting African American borrowers after the collapse of banking industry in 2008.
- f. In addition to managing our firm and actively litigating cases, I engage in numerous *pro bono* activities. I am the immediate past President of the Los Angeles County Bar Association. I have been appointed by the Chief Justice of

the California Supreme Court to the Judicial Council Committee on Civil and Small Claims Courts. I am the Chairman of the Board of Trustees of Loyola Law School, and a member of the Board of Trustee of Loyola Marymount University. I have been the President of the Consumer Attorneys of California, the State's consumer trial lawyer bar, and I continue to lobby for court funding and legal issues in Sacramento. I encourage all of our lawyers to be actively involved in *pro bono* activities.

- g. I have been recognized as one of the most influential lawyers in California by the *Daily Journal*, *California Lawyer* and *Capitol Weekly*. I have commented over 200 times on legal cases on CNN, Fox, CBS, NBC, ABC, and other national and local television networks and stations and in publications such as the New York Times and the Wall Street Journal. I have received other awards and honors in my career.

6. On January 30, 2020, all counsel, including Mark Lindquist, attended a meeting. At this meeting, our two firms informed Mr. Lindquist of the ongoing negotiations and Mr. Lindquist had no objection. There is no question Mr. Lindquist knew about our settlement negotiations and never voiced an objection. Only after we settled the case and informed Mr. Lindquist and Herrman of the settlement did they attempt to wrestle control away and use the settlement to gain an advantage with Boeing and our team.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed this 9th day of June, 2020, at Los Angeles, California.

Dated: May 20, 2020



Attorney for Plaintiff RINI SOEGIYONO,
Administrator of the Estate of NIAR RURI
SUNARNIATI SOEGIYONO

KABATECK LLP
Brian S. Kabateck, Cal. State Bar No. 152054
(admitted *pro hac vice*)

EXHIBIT 1



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Suite 3200

Los Angeles, CA 90071

A Plaintiff's Law Firm



Brian Kabateck
Founding and
Managing Partner

June 2002 – Present

As a nationally recognized and respected consumer attorney, Brian Kabateck is a preeminent leader in the fight to ensure access to the justice system. He's a powerful advocate in the courtroom and at the California State Capitol for consumers' rights and protections.

Mr. Kabateck's vigorous litigation on behalf of his clients has netted more than a billion dollars in recoveries. He has won many multi-million dollar verdicts, judgments and settlements in the areas of personal injury, insurance bad faith, pharmaceutical litigation, wrongful death, class action, mass torts and disaster litigation.

Because of his deep knowledge of the law and dynamic speaking style, Mr. Kabateck is a frequent analyst for national, local and legal media outlets. He makes regular appearances on CBS This Morning, ABC Good Morning America, CNN, MSNBC, NBC, FOX and CW stations. In addition to his television exposure, Mr. Kabateck often speaks at seminars, law schools and industry events.

Honors & Awards

**Finalist, Elite Trial Lawyers Personal Injury
 Law Firm of the Year**
National Trial Lawyers
 2020

Southern California Super Lawyer
Super Lawyers
 2005-2006, 2008-2020

Plaintiffs' Lawyers Trailblazers
National Law Journal
 2018

Persons of the Year Award
Metropolitan News-Enterprise
 2018

Finalist, Trial Lawyer of the Year
Consumer Attorneys of California
 2014, 2012, 2010, 2005

Trial Lawyer of the Year
NAACP
 2015

Winner, CAOC's Marvin E. Lewis Award
Consumer Attorneys of California
 2014

Top 30 Plaintiff Lawyers

Daily Journal
 2015-2019

Top 100 Lawyers in California

Daily Journal
 2009-2017

Daily Journal

**Chairman of the
 Loyola Law School**
Board of Directors

**Distinguished Alumnus
 of the Year Award**
Loyola Law School
 2018



Honors & Awards (continued)

National Trial Lawyers

Top 100 in California
2010-Present

50 Inspirational Alumni

Loyola Law School, Los Angeles
2014

Top 100 Influential Trial Lawyers in the United States

National Trial Lawyers Association
2009-2013

Capitol Weekly's Top 100

2013

Finalist, Trial Lawyers of the Year

Consumer Attorneys Association of Los Angeles
2012, 2010, 2005

Champions of Justice in Civil Rights

NAACP
2010

Board of Governors Recognition Service Award

Loyola Law School
2008

California Attorney of the Year

California Lawyer Magazine
2006

Finalist, Law Dragon 500

Law Dragon

Education

Loyola Law School

J.D.

Honors: Cum Laude
1985-1989

Activities and Societies:

Order of the Coif, Law Review Member, Published 22 Loyola Law Review 621 (1988), American Bar Association School Representative, Student Teacher (Evidence, Professor Stanley Goldman), 2008 Board of Governors Recognition Service Award

University of Southern California

Bachelor of Arts (BA), Political Science
1980-1985



Organizations

Los Angeles County Bar Association (LACBA)

President: 2018-2019
President-elect: 2017-2018
Trustee: 2000-2003, 2006-2007

Consumer Attorneys of California (CAOC)

(CA State Trial Lawyers)
President: 2013
Vice-President: 2007-2012

Century City Bar Association

President: 2005-2006
President-elect, Vice President, Treasurer: 2001-2005

Consumer Attorneys Association of Los Angeles (CAALA)

Member
2000-Present

Inner City Law Center

Board of Directors
2009-Present

Neighborhood Legal Services

Board Member
2011-Present

American Board of Trial Advocates

Member
2015

Loyola Law School, Board of Overseers

2008-2014

American Bar Association

Vice Chair, Torts Insurance Practices Section
2007-2012

Executive Committee of the National Trial Lawyers Association

American Association for Justice (AAJ)

State Bar of California

